



# **CITY COUNCIL AGENDA REPORT**

MEETING DATE: NOVEMBER 15, 2005

ITEM NUMBER:

**SUBJECT:** ORDINANCE 05-16 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA REZONING 124 MELODY LANE FROM R2-HD (MULTIPLE-FAMILY RESIDENTIAL, HIGH DENSITY) TO R3 (MULTIPLE-FAMILY RESIDENTIAL).

**DATE:** NOVEMBER 3, 2005

**FROM:** DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

**PRESENTATION BY:** WENDY SHIH, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT:** WENDY SHIH (714) 754-5136

## **RECOMMENDATION:**

Give second reading to Ordinance 05-16, which rezones the subject property from R2-HD to R3.

## **BACKGROUND/ANALYSIS:**

On November 1, 2005, City Council gave first reading to the attached ordinance (4-0, Monahan abstained). Staff has no additional information on this item.

WENDY SHIH  
Associate Planner

DONALD D. LAMM, AICP  
Deputy City Mgr. – Dev. Svs. Director

**DISTRIBUTION:** City Manager  
City Attorney  
Deputy City Manager – Dev. Svs. Director.  
Police Chief  
Public Services Director  
Building Official  
Chief of Code Enforcement  
City Clerk (2)  
Staff (4)  
File (2)

**ATTACHMENTS:** 1 Ordinance 05-16

File: 111505R0502	Date: 110205	Time: 3:45 p.m.
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**ATTACHMENT 1**  
**ORDINANCE 05-16**

**ORDINANCE NO. 05-16**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 124 MELODY LANE FROM R2-HD (MULTIPLE-FAMILY RESIDENTIAL, HIGH DENSITY) TO R3 (MULTIPLE-FAMILY RESIDENTIAL) BY ADOPTION OF REZONE PETITION R-05-02.**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There are hereby placed and included in the R3 (Multiple-Family Residential Zoning District), 124 Melody Lane, as shown on attached Exhibit A and described in attached Exhibit B, situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibits. A copy of the Official Zoning Map is on file in the office of the Planning Division.

Section 2. The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines.

Section 3. Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 4. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not

affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

Section 5. Publication. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2005.**

\_\_\_\_\_  
Mayor of the City of Costa Mesa

ATTEST:

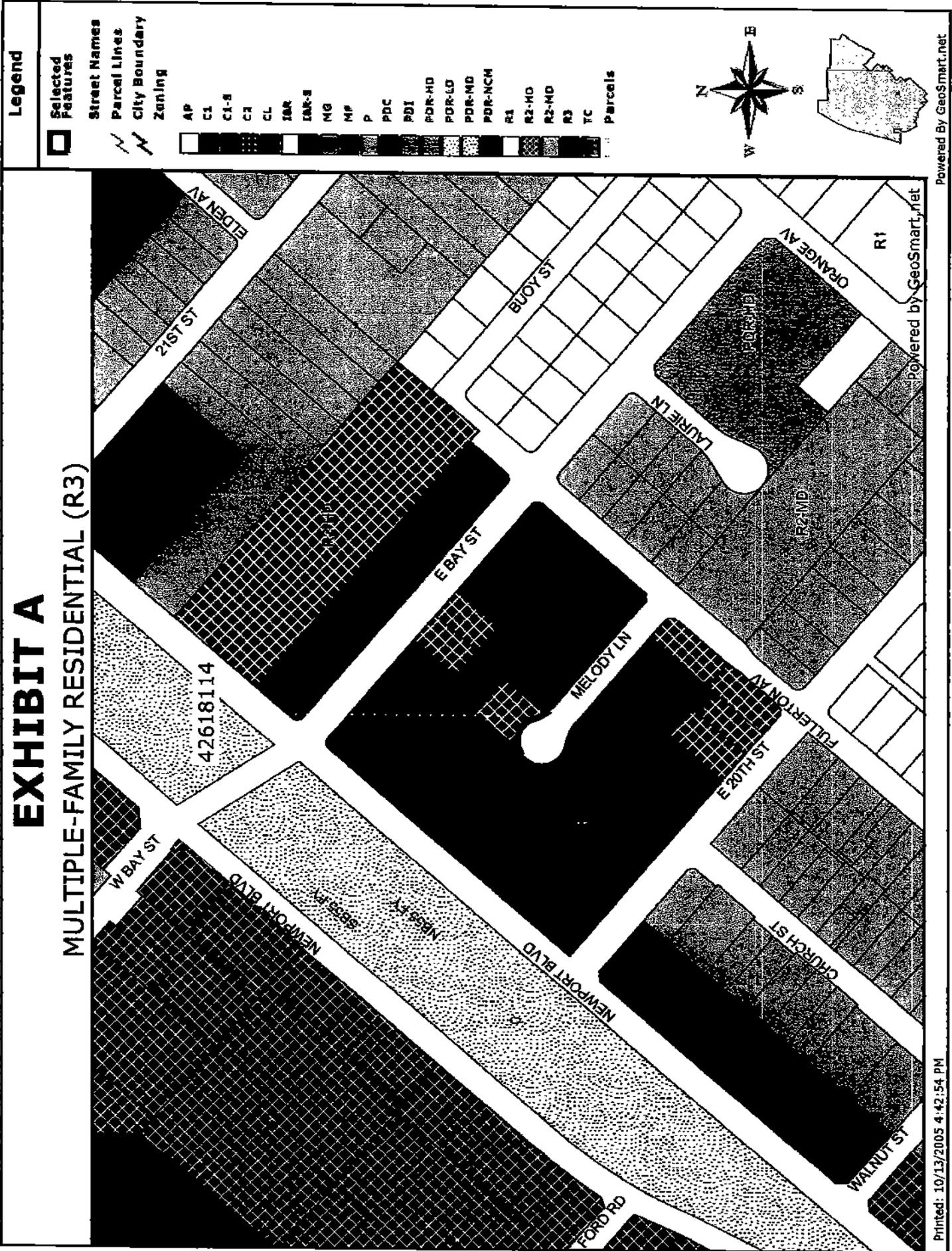
APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney

# EXHIBIT A

## MULTIPLE-FAMILY RESIDENTIAL (R3)



**EXHIBIT B**

The following property is hereby rezoned as follows:

<b>ZONING DISTRICT</b>	<b>PARCEL NUMBER</b>
Multiple-Family Residential (R3)	426-181-14